

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KELLEY AMADEI, CAROLA CASSARO, LAURA
CUCULLU, COREY FIELDS, ANNE GARRETT, AMY
LANIGAN, MATT O'ROURKE, ERIC POLK, and
KAREN POLK,

Plaintiffs,

v.

KIRSTJEN M. NIELSEN, Secretary of Homeland
Security, named in her official capacity,

KEVIN K. MCALEENAN, Acting Commissioner, U.S.
Customs and Border Protection, named in his official
capacity,

LEON HAYWARD, Acting Director, New York Field
Operations, U.S. Customs and Border Protection,
named in his official capacity,

FRANCIS J. RUSSO, Port Director, JFK International
Airport Port of Entry, U.S. Customs and Border
Protection, named in his official capacity,

THOMAS HOMAN, Acting Director, U.S. Immigration
And Customs Enforcement, named in his official
capacity,

THOMAS DECKER, Director, New York Field Office,
Enforcement and Removal Operations, U.S. Immigration
And Customs Enforcement, named in his official
capacity,

DAVID JENNINGS, Director, San Francisco Field
Office, Enforcement and Removal Operations, U.S.
Immigration and Customs Enforcement, named in his
official capacity,

JOHN DOES 1 and 2, U.S. Customs and Border
Protection officers, named in their official capacity,

Defendants.
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**NOTICE OF MOTION
OBJECTING TO THE
MAGISTRATE'S
DISCOVERY ORDER**

Civil Action
No. 17-CV-5967

(Garaufis, J.)
(Scanlon, M.J.)

PLEASE TAKE NOTICE that on the enclosed Memorandum of Law in Support of Defendants' Motion Objecting to the Magistrate Judge's October 25, 2018 Order Denying a Stay of Discovery Pending the Court's Ruling on its Motion to Dismiss and Granting Plaintiffs Extraordinary Discovery in this APA Action, Defendants Kirstjen M. Nielsen, Kevin K. McAleenan, Leon Hayward, Francis J. Russo, Thomas Homan, Thomas Decker, and David Jennings (collectively, "Defendants") will move before the Honorable Nicholas G. Garaufis, at the United States Federal Courthouse, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, upon submission or on a date and time for oral argument to be set by this Court, for a stay of discovery pending a decision on their motion to dismiss for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted, or in the alternative, limit the boundless discovery allowed as opposed to the narrow discovery required for APA review, and for any such other and further relief as the Court deems just and proper.

Dated: Brooklyn, New York
November 5, 2018

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By: /s/
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cc: All counsel of record (Via ECF)